GAHC010237882026

2026:GAU-AS:16700

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Bail Appln./3449/2026

SRI RAKESH DAS
SON OF- SRI DIPEN DAS.
VILLAGE- MORNOI BEBEJIA GAON,
PO- GHILAMARA, DISTRICT- LAKHIMPUR (ASSAM)

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR A KHANIKAR, MR. R B GOHAIN,R L CHUTIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 13.11.2026

Heard Mr. A. Khanikar, learned counsel for the accused applicant. Also heard Mr. B. Sarma, learned Additional Public Prosecutor appearing for the State.

2. This is an application filed under Section 483 of the BNSS, 2023 praying for

grant of bail to the accused applicant namely **Sri Rakesh Das,** in connection with Ghilamara P.S. Case No. 56/2026 U/S 20(b)(ii)(B) of the NDPS Act.

3. The allegation in the FIR dated 13.10.2026 lodged before the Officer-In-Charge, Ghilamara Police Station, Lakhimpur by S.I. Nilakhi Borah is that on receipt of information about selling of illegal ganja, the police reached the house of the accused applicant and on search, police recovered 2.196 kg of ganja from the house of the accused applicant.

4. On receipt of the FIR, Police registered Ghilamara P.S. Case No. 56/2026 under the aforementioned sections.

5. The learned counsel for the accused applicant submits that the accused applicant is a young boy of 20 years and his father is a head priest of a Mandir in the locality and therefore, the ganja was infact kept for offering in the Mandir. He submits that the accused applicant is not involved in any selling of the illegal ganja and since the accused applicant has already behind bars for 31 days and he has not been interrogated by the police yet, he should be granted bail at this stage.

6. The learned Additional Public Prosecutor has opposed the prayer for bail stating that the accused applicant is a habitual peddler involved in selling of illegal ganja.

7. Case diary in the instant case has been received and the same is perused.

8. This Court has taken into consideration the allegations made in the FIR. This Court has also perused the materials available in the case diary as well as has taken into account that the accused applicant is behind bars for 31 days and he is yet to be interrogated by the police in the instant case. This Court is of the considered opinion that he should be granted bail at this stage.

9. Accordingly, it is directed that the accused applicant named above shall be released on bail on furnishing bail bond of Rs.30,000/- with one surety of like nature to the satisfaction of Special Judge, NDPS, Lakhimpur, North Lakhimpur subject to the following conditions:-

(i) the accused applicant shall cooperate with the investigation and make himself available as and when called for;

(ii) the accused applicant shall not try to influence any of the witnesses that may be involved in the instant case or tamper or hamper with the investigation in whatsoever manner.

10. In terms of the above, the instant application is disposed of.

JUDGE

Comparing Assistant